



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Serial No.: 10/076,937
Filing Date: 02/15/2002
Applicants: Dean, Herbert M. et al
Title: DOSAGE UNIT FOR CARDIOPROTECTION
Atty. Docket No.: dean0202con
Art Unit: 1617
Examiner: Hui, San-ming R.

16174
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Commissioner for Patents
Washington, DC 20231

Dear Sir:

Enclosed for filing in the above-referenced patent application please find an Amendment and Request for Reconsideration, a Fee Transmittal, a check in the amount of \$84.00 and a return postcard.

Respectfully submitted,

Robert R. Deleault, Reg. No. 39,165
Attorney for Applicant
41 Brook Street
Manchester, NH 03104
Tel. (603) 668-1971

Dated: 10/29/02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on:

October 29, 2002
Robert R. Deleault
Robert R. Deleault



FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 84.00

Complete if Known

Application Number	10/176,937
Filing Date	02/15/2002
First Named Inventor	Dean, Herbert M. et al.
Examiner Name	San-ming R. Hui
Group Art Unit	1617
Attorney Docket No.	dean0202con

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number
Deposit Account Name

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from below Fee Paid
Total Claims 12 -20** = 0 x \$9 =
Independent Claims 5 -3** = 2 x \$42 = 84.00
Multiple Dependent =

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	84	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 84.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	Robert R. Deleault	Registration No. (Attorney/Agent)	39165	Telephone	603-668-1971
Signature		Date	10/22/02		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Paper No. 7

7-10
VCS
11/21/02

AMENDMENT AND REQUEST FOR RECONSIDERATION
PURSUANT TO 37 C.F.R. § 1.111

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office communication mailed July 30, 2002, rejecting Claims 1-10 of the above-identified Application, Applicants respectfully request that the following amendments be entered.

IN THE CLAIMS:

Please add the following new Claims.

17. A cholesterol lowering and beta-adrenergic blocking medicament dosage unit comprising a beta-adrenergic blocker and a cholesterol lowering agent that is a statin, said blocker and said agent being combined as a single oral formulation.
18. A cholesterol lowering and beta-adrenergic blocking medicament dosage unit consisting of a beta-adrenergic blocker and a cholesterol lowering agent that is a statin, said blocker and said agent being combined as a single oral formulation.

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